

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

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X

HUGH BLACKBURN,

Petitioner,

-against-

DUKE TERRELL, Warden, Metropolitan  
Detention Center,

Respondent.

\_\_\_\_\_  
X

AMOM, United States District Judge:

**TRANSFER ORDER**  
10-CV-002851 (CBA)

On June 17, 2010, petitioner, currently incarcerated at the Metropolitan Detention Center in Brooklyn, New York, pursuant to a 2008 conviction in the United States District Court for the Southern District of New York ("Southern District") filed this *pro se* petition seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Since petitioner is seeking by this petition a reduction in his sentence and immediate release, the matter is more properly handled by the Court in which he was sentenced, the Southern District.

Accordingly, in the interest of justice, the Clerk of this Court shall transfer this case to the United States District Court for the Southern District of New York. 28 U.S.C. § 1406(a). The Court offers no opinion on the merits of petitioner's application. The Clerk of this Court shall file and docket the petition without payment of fees, but without determining whether petitioner should be permitted to proceed further without payment of fees, such decision being reserved for the transferee Court. That provision of Local Rule 83.1 which requires a seven day delay is waived.

SO ORDERED.

/S/  
\_\_\_\_\_  
Carol Bagley Amon  
United States District Judge

Dated: Brooklyn, New York

*June 24*, 2010